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State Council Publishes Key Tasks on Food Safety Work for 2017

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Approved By:

Jennifer Clever

Prepared By:

FAS Beijing Staff

Report Highlights:

On April 6, 2017, the State Council published the annual Key Tasks regarding Food Safety Work of 2017. The relevant Chinese Ministries/Departments under the State Council use this document as a reference to guide their food safety work during the year. Key tasks include improving food safety standards, cleaning the agricultural production environment, reinforcing the governance over crop and livestock production, upgrading the food industry, and establishing a unified and authoritative food safety oversight system.

This report contains an executive summary of the key issues that may affect food and agricultural trade, and an un-official translation of the full text of the State Council notice.

Executive Summary

On April 6, 2017, the State Council published the annual Key Tasks regarding Food Safety Work in 2017. The document lists key tasks related to food safety to be carried out/completed in the year, including:

- Speedily revise the Regulations on the Implementation of the Food Safety Law; complete the revision of auxiliary regulations and rules of the Food Safety Law;
- Initiate the revision of the Law on Farm Product Quality and Safety;
- Promote connecting of the Chinese food safety standards with the counterpart international standards. Continue the efforts to improve the food safety standard system;
- Develop and revise national food safety standards that are urgently needed, such as heavy metal pollution, organic pollutants, infant formula foods, formula foods for special medical purposes, and health foods, as well as testing methods accordingly;
- Expedite the development of standards for pesticide residue limits in vegetables and special agricultural products, and the standards for vet drug residue limits in minor species livestock/poultry/aquatic products.

In addition, China will announce regulations for the development of maximum residue limits for pesticide/vet drug on imported agricultural products (import MRLs). China will also initiate the development of “uniform limit” standards for product categories without established MRLs.

General Information

BEGIN TRANSLATION

State Council Publishes Key Tasks on Food Safety Work for 2017

Guo Ban Fa [2017] No. 28

Municipal governments of all provinces, autonomous regions and municipalities, ministries and departments under the State Council,

We are sending you the Key Tasks for Food Safety in 2017 to you for your implementation.

General Office of the State Council

April 6, 2017

(This document is public)

Acronyms of the Chinese ministries/agencies used in this report:

CPC:	Communist Party of China
CFDA:	China Food and Drug Administration
FSC:	Food Safety Commission
FSCO:	Food Safety Commission Office (resides in CFDA)
MOA:	Ministry of Agriculture
NHFPC:	National Health and Family Planning Commission
GAC:	General Administration of Customs
AQSIQ:	General Administration of Quality Supervision, Inspection and Quarantine
MEP:	Ministry of Environmental Protection
NDRC:	National Development and Report Commission
MOST:	Ministry of Science and Technology
MOF:	Ministry of Finance
MIIT:	Ministry of Industry and Information Technology
MOFCOM:	Ministry of Commerce
SAIC:	State Administration of Industry and Commerce

Key Tasks of Food Safety Work in 2017

Food safety is vital for health and safety of the general public, and is an important political task for party committees and governments of all levels. In 2016, the overall food safety situation was steady and moved to the good direction; however, problems are still complicated and severe. To fulfill the deployment of the Central Party Committee and the State Council, we are making the following arrangements for the key tasks of food safety work in 2017, which aim to meet the “four ‘Strict’” requirements, strengthen the prevention from the source, process oversight, control of risks, solve problems concerned by the public, improve governance/safeguard of food safety, and push forward the supply-side reform and build a well-off society in an all-round way.

I. Reinforce the Rule by Law of Food Safety

Central Political and Legal Affairs Commission takes lead; with the cooperation of the High People’s Court, High People’s Procuratorate, Ministry of Public Security, MOA, NHFPC, GAC, AQSIQ and CFDA: improve judicial interpretations of the criminal cases that cause harm to food safety; push forward the criminalization of food adulteration and producing fake products.

CFDA, MOA, NDRC, and the Legal Affairs Office of the State Council share the task according to their mandates: expedite the formulation of food safety-related laws and regulations; speedily revise the Regulations on the Implementation of the Food Safety Law; complete the revision of auxiliary regulations and rules of the Food Safety Law, specify the accountable individuals to be punished (for violations). Promote the local governments to release all administrative measures for oversight of small food production workshops, small street peddlers, and small catering service vendors. Initiate the revision of the Law on Farm Product Quality and Safety; implement the newly released Pesticide Management Rules. Formulate regulations for the recycle use of kitchen waste and treatment of the kitchen waste to resources.

Ministry of Education takes lead; with the cooperation of the NHFPC and CFDA: revise administrative regulations for school cafeteria and outsourcing of students' meals.

AQSIQ takes lead; with the cooperation of the NHFPC and CFDA: develop measures for oversight of food-related products; speedily revise the administrative measures for oversight of safety of import and export foods.

Relevant State Council members and provincial governments: reinforcing the education on rule-by-law in the food safety area; food safety regulators of all levels and persons-in-charge of various food producers/operators, and people engage in food production should receive intensive food safety trainings of no less than 40 hours. They are required to standardize their law enforcement behaviors, strengthen supervision over the law enforcement, launch inspections over the enforcement, and properly handle the administrative reconsideration and response to cases.

II. Improve Food Safety Standard

NHFPC takes lead; with the cooperation of the MOA, AQSIQ, CFDA and the State Administration of Grain: promote connecting of the Chinese food safety standards with the counterpart international standards. Continue the efforts to improve the food safety standard system; develop and revise national food safety standards that are urgently needed, such as heavy metal pollution, organic pollutants, infant formula foods, formula foods for special medical purposes, and health foods, as well as testing methods accordingly. Reinforce standard popularization, training and evaluation; reinforce the connection/consistency in standard development, implementation and oversight. Reinforce the development/revision and management of local food safety standards; provide guidance for review and consolidation of local standards, and establish catalogues of local standards.

MOST, NHFPC and CFDA share the task according to their mandates: reinforcing the research of testing methods for substances illegally added into foods.

MOA takes lead; with the cooperation of the AQSIQ: expedite the development of standards for pesticide residue limits in vegetables and special agricultural products, and the standards for vet drug residue limits in minor species livestock/poultry/aquatic products. China will develop 1,000 new MRL standards, 100 vet drug residue standards, review and consolidate testing methods for pesticide and vet drug residue limits in an overall manner. China will announce regulations for developing pesticide/vet drug residue limits in imported agricultural products; China will initiate the development of the "uniform limit" standards based on product categories.

The State Administration of Grain takes lead; with the cooperation of the AQSIQ: improve the grains quality and safety standard system.

III. Clean the Agricultural Production Environment

MEP: initiate thorough investigations into soil pollutions; promote the promulgation of laws for soil pollution prevention and cure, promote the revision of the standards about soil environment and quality; implement the pollution prevention and cure action plans for atmosphere, water and soil; construct "pilot zones" for comprehensive prevention and cure of soil pollution and the prevention, launch the pilot

projects for applying recovery technologies. By the end of 2017, release the standards on environment and quality of soil for agricultural use.

MEP and NDRC takes lead; with the cooperation of the MIIT: strictly control the establishment of non-ferrous metal refinery, petrol processing, chemical, coking, electroplating, hide processing in the regions with concentrated cultivated land under prioritized protection; enterprises already in operation in such regions should adopt new technologies and production techniques to accelerate the pace of upgrading production standards.

MOA takes lead: deepening the campaign for protection and upgrading quality of cultivated land, push forward the action that prevents the agricultural non - point source pollution. Learn from experiences of the Changsha-Zhuzhou-Xiangtan pilot program, accelerate the recovery of cultivated land that have been polluted by heavy metals, adjust the agricultural production pattern of the land; provide guidance for the safety use of cultivated land that have light/medium-level pollutions, and the territory definition of heavily polluted cultivated land that are prohibited to grow agricultural products.

NDRC, MOA, MOF, the State Administration of Grain, together with the relevant provincial municipal governments take lead: implement the State Council's various measures addressing the issue of heavy metal pollution in grains, properly handle the relation of agricultural production pattern adjustment and farmers' interest.

IV. Reinforcing the Governance over Links of Growing and the Feeding

MOA takes lead; with the cooperation of the AQSIQ: promoting the good agriculture production practices; encourage the adoption of the ledger mechanism by producers/operators of large scale. Reinforce the oversight of interval period and the withdraw period of pesticide and vet drug use. High-toxic pesticides could only be sold at designated vendors, and buyers must provide their real-names when buying such pesticides; prohibit the use of high-toxic pesticides in production of vegetables, melons and fruits, tea, and Chinese herbal medicines; terminate/restrict the use of high-toxic pesticides gradually (group by group). Launch the mechanisms of vet drug prescription and the QR code traceability. Strengthen the technical trainings for science-based growing and feeding, provide guidance to farmers on reasonable use of pesticides, vet drugs, chemical fertilizers, feed and feed additives; strictly prohibit the use of prohibited substances, such as beta-adrenergic agonist, Malachite green and nitrofurantoin.

MOA takes lead; with the cooperation of the AQSIQ and MOF: providing professional services for the coordinated and unified pest and animal disease prevention/treatment; nurture organizations that provide such services.

MOA takes lead; with the cooperation of CFDA: promote pilot projects for management of compliance certificates for edible agricultural products. Deepen the ad hoc rectification campaign of livestock/poultry/aquatic product quality and safety; rectify the problem of excessive pesticide and vet drug residue limits with focused efforts.

V. Tighten the Oversight in Production and Operation

AQSIQ and CFDA share the task according to their mandates: promote the implementation of the graded risk mechanism; reinforce routine inspections based on the risk grades; follow the principles of “Randomly Select Inspection Subjects, Randomly Assign Inspectors, Timely Publish the Results of Sampling Testing”, thoroughly look into all the potential hazards, clearly identify the items of the sampling inspections, punish the accountable person, and publish the relevant information. Expose enterprises that violate regulations and laws, which will force the producers and operators to fulfill their responsibilities as the primary accountable person. Based on the problems, intensify the ad-hoc inspections and unannounced inspection; encourage the use of standard forms in the inspections, and routine inspections, fully perform the two responsibilities of setting schedules for inspections and sample inspections. Conduct system inspections to infant formula powder producers for their GMP systems for food safety. Promote the adoption of HACCP system by large producers of foods and food-related products; encourage such producers to obtain certificates for the HACCP system, and encourage them to apply for recognition of the HACCP system. Urge enterprises to establish food safety traceability systems. Give recognitions to supermarkets that sell worry-free vegetables and meat; encourage the edible agricultural product wholesale markets and on-line third-party trading platform operators to fulfill their food safety responsibilities. Encourage regions with capacity to assemble small street peddlers and small catering service vendors for standardized management. Reinforce the oversight on food-related product producers; regulate labelling. Strictly implement the registration of overseas food producers; reinforce the in-registration/post-registration oversight of enterprises that have registered.

The State Administration of Grain: reinforce the supervision of quality and safety of the supply network of “worry-free grains and oil.

MOA, SAIC and CFDA share the task according to their mandates: deepen the oversight of food safety in the rural area. With priority, find the prominent food safety risks in the rural and the fringe areas, establish the long-term governance mechanism accordingly.

Ministry of Education and CFDA share the task according to their mandates: reinforce the oversight in schools and neighboring area; the school cafeterias should perform the food safety management responsibilities, prevent the occurrence of mass food poisoning incidents.

The China Railway Corporation: Implement the measures for safety of foods served on trains, push forward qualification management of fast food suppliers; guarantee food safety during the peak transportation seasons in the Spring Festival period and the summer vacation period.

CFDA: upgrade food safety of the catering sector; encourage catering service providers to have the “transparent/visible kitchen”; fully perform the mechanisms for incoming material inspection, raw material control and environment hygiene; the catering service providers are the primary accountable entities for quality and safety. Reinforce the oversight of on-line food ordering, investigate into violation activities in a timely manner.

VI. Prevent and Control Food Safety Risks

NHFPC takes lead; with the cooperation of the MOA, AQSIQ, CFDA, and the State Administration of Grain: implement the national food safety risk surveillance plan, and reinforce the risk surveillance assessment. Promote the sharing of information related to risk surveillance, assessment and sampling

inspections between regions and departments; use well the Internet and the big data; reinforce the notifications of the risk surveillance results and consultations/analysis to provide technical support for risk prevention.

MOA: conduct screening check of potential hazards of agricultural product quality and safety; reinforce risk surveillance, assessment and sampling inspections, publish the sampling inspection findings.

CFDA and NHFPC share the task according to their mandates: reinforce the sampling inspections and risk surveillance over key products and issues.

CFDA: following the principle of “supervising over the lower level”, coordinate the sampling inspection plan of the national, provincial, city and county levels, expand the coverage of the sampling inspection to increase problem detection rate and the problematic product verification/disposal rate. Regulate the evaluation of the fast testing methods for foods. Establish the working mechanism for risk alert and communication, timely announce food safety sampling inspection information, risk alerts or consumer notices. Explore the ways for large food enterprises to conduct risk communication, improve the mechanism for direct reporting of important information and the network for the reporting; strengthen surveillance and alert for public opinion on food safety, formulate national food safety emergency responding plans.

AQSIQ: Launch the project of worry-free imported foods; strengthen oversight on imported foods with high risk and high attention. Fully implement the record filing systems for food importers and exporters. Further reinforce the food safety oversight at ports, strengthen the safety oversight on import/export edible agricultural products and feed.

FSCO takes lead; with the cooperation of the China Securities Regulatory Committee: promote the food safety responsibility insurance; encourage food producers and operators to purchase food safety responsibility insurance.

VII. Promote the upgrading of the food industry

MOA and AQSIQ share the task according to their mandates: deepen the agriculture standardization strategy, adhere to the guiding direction of high quality, safety and green products; promote certifying wholesome food, green food, organic agricultural products and the geographical indications of agricultural products, as well as certifying for good agricultural practice; adjust the growing/feeding structure of agricultural products pursuant to market need.

NDRC and MIIT share the task according to their mandates: release guiding opinions for the health development of the food industry; promote the structure adjustment and upgrading of the food industry. Nurture the food processing industry clusters, guide the food processing enterprises to concentrate in the main producing areas, the advantageous production areas and the industry zones; strengthen supports for the technical renovation/improvement, promote the expansion of product varieties, improve quality and brand building.

MIIT takes lead; with the cooperation of the NDRC, MOA and CFDA): expedite the revision and formulation of policies for the dairy product industry; tighten industry access requirements; promote the

merger and restructuring of the infant formula powder industry, announce and implement industry standards for traceability of infant formula powder.

MOA, CFDA and the provincial governments share the task according to their mandates: promote the modes of “production base + central kitchen + catering stores”, “production base + processing enterprise + shop/supermarket distribution”.

NDRC, Ministry of Housing and Urban-Rural Development, MOA and MIIT share the task according to their mandates: improve the resource utilization and harmless disposal of the kitchen waste/waste of meat processing/unqualified livestock and poultry products; prohibit the gutter oil to be used in foods.

NDRC takes lead; with the cooperation of the MOA, MOFCOM, NHFPC, AQSIQ, CFDA: release opinions to expedite the development of the cold chain to guarantee food safety and upgrade consumption; improve the cold chain standard system; encourage the society and market performers to strengthen the infrastructural construction of the cold chain logistics.

AQSIQ takes lead: promote the campaign of “same production line, same standard and same quality”¹ by food exporting enterprises.

VIII. Attack Law Violation Activities

CFDA, MOA, Ministry of Public Security and FSCO share the task according to their mandates: impose high pressure on violations, increase frequency of inspections, and severely punish food safety law violation activities. Forcefully attack law violations, including illegal adding/use of additives beyond scope and limits, abuse use of agricultural inputs (such as pesticides/vet drug), fake and sell fake products, unauthorized slaughtering, etc. All the violation activities must be investigated and find the accountable person; publish info of the punished person/entity. Establish and improve the information release system for serious crimes to control product risks and society risks, and to guarantee the public’s right to be informed.

Central Political and Legal Affairs Commission and CFDA takes lead; with the cooperation of the MOA, AQSIQ, Ministry of Public Security, and the High People’s Procuratorate: strengthen the connection of administrative law enforcement and the criminal law enforcement. Improve the mechanisms for criminal case transfer and information notification to improve the difficulties in obtaining evidence, case transfer, and criminalization, as well as to solve problems of investigation/verification costs, inspection conclusion issuance, and disposal of the subject products.

SAIC: Reinforce the investigation and handling of fake/illegal food advertisement.

AQSIQ: Further reinforce the enforcement against faking of food related products.

GAC: reinforce the attack against smuggling of foods of high attention.

IX. Establish the Unified and Authoritative Food Safety Oversight System

¹ Note: previously, producers of export food products use different production lines to produce foods that are for export and for domestic sales.

FSCO and CFDA takes lead; with the cooperation of the State Commission Office for Public Sector Reform): improve the food and drug safety oversight system; improve the system's unison, professionalism, and authority; build oversight capacity of the grass-root agencies. In areas that adopt comprehensive law enforcement, food and drug safety oversight should be the priority of the enforcement team.

CFDA takes lead; with the cooperation of the State Commission Office for Public Sector Reform, Ministry of Human Resources and Social Security and MOF: using existing resources to expedite the construction of the professional food and drug inspectors team; set up specialized technical positions and professional titles, provide technical trainings to the inspectors, and reasonably determine their remunerations; guarantee authority of the inspections with their professionalism.

X. Solidify Foundation of Food Safety and Capacity Building

CFDA, Ministry of Public Security, MOA, NHFPC, AQSIQ, NDRC, MOF and the provincial governments share the task according to their mandates: improve the unity and professionalism of food safety oversight, substantially improve the oversight competence and capacity. Implement the "Thirteenth Five-year Plan" for food safety, incorporate the plan implementation results into the provincial municipal government performance assessment criteria. Set up the mechanism for annual surveillance and assessment for plan implementation; all related departments should develop specific implementing plans accordingly. Strengthen the capacity building for food safety and agricultural product quality/safety oversight authorities at the grass root level and the technical institutes; standardize facility/equipment including office space, enforcement vehicles and apparatus. Public security bureaus at all levels should reinforce investigations into food and drug crimes. Reinforce the management over food safety and agricultural product quality/safety inspection institutes. Reinforce capacity building for testing and detection of food related products.

MOA, NHFPC, AQSIQ and CFDA share the task according to their mandates: formulate supportive policies to encourage using testing and inspection resources in the universities and research institutes. Strengthen the qualification certifying for inspection institutes that engage in foods and agricultural product inspection; publish list of food inspection and re-testing institutes, and introduce third party inspection services.

AQSIQ, State Commission Office for Public Sector Reform takes lead; with the cooperation of the CFDA: continue pushing forward the consolidation of food inspection, testing and certifying institutes.

The State Administration of Grain takes lead; with the cooperation of the AQSIQ: strengthen the construction of the grains quality and safety inspection and surveillance system; reinforce the quality inspection and surveillance capacity at the grass root level.

MOST: using the "Internet +" inspection and testing technologies to promote the development of new business format of food safety inspection and testing. Conduct key technology research and technology innovation demonstration projects by using the national science and technology plans (special projects and funds).

CFDA takes lead; with the cooperation of the MIIT, MOFCOM, NHFPC, AQSIQ and the State Administration of Grain: expedite the construction of the food safety oversight informatization project, establish the nation-wide unified food safety information platform.

MOA: improve the agricultural product quality and safety traceability system; put the national agricultural product quality and safety traceability information system in trial use.

MIIT and MOFCOM share the task according to their mandates: Construct traceability systems for key products, including meat, infant formula and vegetables, etc.; push forward the establishment of the provincial-level key product traceability platforms.

FSCO takes lead; with the cooperation of relevant FSC members: develop the “Outline of the 2030 Food Safety Plan”. Formulate the food safety annual report.

XI. Promote the Social Governance of Food Safety

Publicity Department of the CPC Central Committee: strengthen news publicity of food safety; properly handle the media surveillance and create a health media environment.

FSCO takes lead; with the cooperation of relevant FSC members: hold the “National Food Safety Publicity Week” activity; demonstrate the achievements scored by the “national food safety model cities” and the “agricultural product quality and safety model counties”. Carry out activities for legal knowledge publicity and education.

China Association for Science and Technology: build the food safety science publicity network; promote the establishment of the publicity team and the demonstrations to enhance the public’s science awareness of food safety.

Ministry of Education: launch food safety education campaigns in various forms to students.

MIIT: implement the national standards for the credit management system (CMS) in the food industry; evaluate the credit management system (CMS) of the food industry.

Relevant FSC members share the task according to their mandates: strengthen capacity building for the reporting/complaint systems, keep the complaint channels open. Establish the food safety credit files and timely announce the records to the public; impose joint punishment to food producers/operators that severely damage their credit.

XII. Accountability of Food Safety

Provincial governments: consider food safety work as the prioritized political tasks and a public security issue; the local government leaders must be directly involved in food safety supervision to ensure clear definition of the responsibilities, positions, staff and tools for the food safety oversight, and to support the food safety authorities to perform their mandates. Dealing with food safety issues, the provincial Food Safety Commissions are the leaders, and the provincial FSCOs are the coordinators; strengthen authority of FSCOs of all levels, in particular their role in the coordination in food safety work; build and improve the communication/coordination mechanisms, and improve the risk communication and the joint consultations of the situation.

Provincial governments, CFDA and MOF share the task according to their mandates: expand inputs into food safety; build the oversight capacity at the grass root levels and improve the infrastructure facility;

promote standardized equipment at the grass root level; secure fund needed for food safety oversight by governments of all levels, in particular the fund for testing and inspection.

FSCO takes lead; with the cooperation of the MOA and the CFDA: deepen the initiative building the “national food safety model cities” and the “agricultural product quality and safety model counties”; award honorary titles to the first batch of the food safety demonstration cities, and build outstanding agricultural product quality and safety counties; kick off the nomination of the second batch of agricultural product quality and safety counties; organize on-site meetings in the “national food safety model cities” and the “agricultural product quality and safety model counties” nomination.

AQSIQ: promote the construction of the demonstration zones for export food and agricultural product quality and safety.

FSCO takes lead; with the cooperation of the relevant FSC members: organize inspections and on-site inspections on food safety work by the provincial governments; emphasize the use of the inspection assessment results.

Provincial governments: link the food safety work performance with performance evaluation, awards and punishments.

FSCO takes lead; with the cooperation of the Ministry of Supervision: improve the food safety accountability mechanism and the liability pursue mechanism; research into measures for determining accountability.

Ministry of Supervision: pursuant to laws, regulations and disciplines, severely punish personnel and entities that are accountable for of negligence and dereliction of duty in serious food safety incidents.

END OF TRANSLATION